

OCT 26 1962

Page 2 / 13 DONOVAN

Approved For Release 1999/09/07 : CIA-RDP75-00001R000200010011-3  
CPYRGHT

CPYRGHT

CPYRGHT

# U-2 SPY CASE SPRINGBOARD FOR DONOVAN

## Now He's Campaigning Against Sen. Javits

New York, Oct. 27 [UPI]—On an August day in 1957, Atty. James B. Donovan arrived at his Lake Placid, N. Y., summer home to begin a vacation. His wife began unpacking while he prepared for a round of golf.

The telephone rang. It was a member of the Brooklyn Bar association who had been delegated to find a defense attorney for Col. Rudolph Ivanovich Abel, the Russian master spy who for nine years had plied his cloak and dagger trade here.

Donovan took the case. He conducted the defense with vigor, altho Abel was convicted. The government asked for the electric chair as his punishment but Donovan pleaded for a prison sentence instead. Abel got 30 years.

### Plea Called Foresighted

Part of Donovan's plea for prison instead of death for Abel proved foresighted in the light of events to come:

"It is possible," he told the court, "that in the foreseeable future an American of equal rank will be captured by the Soviet Union or an ally. At such

time, an exchange of prisoners thru diplomatic channels could be in the best interest of the United States."

On May 1, 1960, Francis Gary Powers' U-2 reconnaissance plane was shot down on a spy mission 1,200 miles inside Russia. Powers was sentenced to 10 years in a Russian prison.

Early in 1962, Donovan secretly negotiated the type of prisoner exchange he had envisioned three years earlier. The United States gave up Abel; Russia returned Powers and another American.

### Talks with Castro

Donovan has been carrying on another round of tedious international negotiations—with Cuba's Fidel Castro for the release of 1,113 anti-Castro Cubans rounded up in the ill-fated Bay of Pigs invasion.

At the same time, the silver-haired, 46-year-old corporation lawyer is campaigning as a Democrat for the United States Senate.

In his first quest for elective office, Donovan has taken on the incumbent Republican Sen. Jacob Javits, a popular, liberal minded lawmaker who has served four terms in the House of Representatives and one in the Senate.

Donovan, a lifelong Democrat, urges voters to send him to the Senate to help push the Kennedy program. It isn't right, he says, for New York state to have two Republican senators when there's a Democratic President and a Democratic Congress.

### He's No Back-Slapper

Donovan meets people easily, but he's not a back-slapping, hand-wringing, baby-kissing candidate. He greets people eagerly, shaking hands and talking in quiet tones.

Donovan campaigns hard. On

a recent day, he returned to the Bronx, where he was born and where his father practiced medicine for 50 years. He'd been campaigning until 2 a. m. the night before, but he was off again at 9 a. m. for a full day.

Donovan is primarily a corporate attorney—his practice includes big companies and insurance industry groups—but his defense of Abel enhanced his reputation as a trial lawyer.

Donovan regarded the Abel case as a public duty for himself and as a test of the maturity of the American legal system.

### Phone Was Unlisted

During the trial, he had to have his telephone number unlisted because of a rash of anonymous calls, his wife and children were taunted and even members of the bar jibed him for defending the Russian.

Once, as he entered a lawyer's club, a Brooklyn judge observed frostily:

"Here comes that million dollar Commie lawyer."

Donovan eyed the man squarely and replied:

"That, Judge, is about as sound as most of your opinions."

